

State of California  
AIR RESOURCES BOARD

**EXECUTIVE ORDER R-10-015**

*Relating to the Rulemaking for the Adoption of a Regulation to Reduce Greenhouse Gas Emissions from Vehicles Operating with Under Inflated Tires*

WHEREAS, on March 26, 2009, the Air Resources Board (ARB or Board) conducted a public hearing to consider adoption of a regulation to reduce greenhouse gas emissions (GHG) from vehicles operating with under inflated tires, as set forth in the Initial Statement of Reasons released to the public on February 5, 2009;

WHEREAS, following the public hearing, the Board adopted Resolution 09-25, in which the Board approved the adoption of new section 95550, title 17, California Code of Regulations, as set forth in Attachment A thereto and modified by Attachment B thereto;

WHEREAS, Resolution 09-25, directed the Executive Officer to take final action to adopt the regulatory amendments set forth in Attachment A, with the modifications set forth in Attachment B, and such other conforming modifications as may be appropriate, after making the modified regulatory language available to the public for a period of 15 days, provided that the Executive Officer shall consider such written comments as may be submitted during this period, shall make such modifications as may be appropriate in light of the comments received, and shall present the regulations to the Board for further consideration if the Executive Officer determines that this is warranted;

WHEREAS, the approved regulations, with the changes to the originally proposed text clearly indicated, have been made available for public comment for a period of 15 days in accordance with the provisions of title 1, CCR, section 44;

WHEREAS, a number of written comments were received during the first 15-day comment period;

WHEREAS, on January 12, 2010, additional modifications were prepared in response to the comments received during the first 15-day comment period, and were made available for public comment for a period of 15 days, with the changes to the previously proposed text clearly indicated, in accordance with the provisions of title 1, California Code of Regulations, section 44;

WHEREAS, comments were received during the second 15-day comment period and those comments have been considered by the Executive Officer;

WHEREAS, the Executive Officer adopted the regulation for under inflated vehicle tires by Executive Order R-10-001, dated February 4, 2010, and submitted the rulemaking package to the Office of Administrative Law for review in accordance with the California Administrative Procedure Act (APA);

WHEREAS, on March 22, 2010, the Office of Administrative Law issued a decision of disapproval;

WHEREAS, modifications to the approved regulations were made in order to correct the deficiencies specified in the Decision of Disapproval by the Office of Administrative Law;

WHEREAS, the modifications were made available for a third 15-day comment period starting June 21, 2010, in accordance with the provisions of section 44, title 1, CCR, with the modifications clearly indicated; and

WHEREAS, several comments were received during the third 15-day comment period and those comments have been considered by the Executive Officer.

NOW, THEREFORE, IT IS ORDERED that the recitals and findings contained in Resolution 09-25 are incorporated by reference herein.

IT IS FURTHER ORDERED that California Code of Regulations, title 17, new section 95550, is adopted as set forth in Attachment 1 hereto.

Executed this 19<sup>th</sup> day of July 2010, at Sacramento, California.

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/s/  
James N. Goldstene  
Executive Officer

Attachment